

EXHIBIT 90

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

CSX TRANSPORTATION, INC.,
individually and on behalf
Of NORFOLK & PORTSMOUTH BELT
LINE RAILROAD COMPANY,

Plaintiff,

v.

CIVIL ACTION NO.
2:18cv530

NORFOLK SOUTHERN RAILWAY COMPANY,
et al.,

Defendants.

Videotaped Deposition of TONY INGRAM
Conducted Virtually
Wednesday, November 18, 2020
9:36 a.m. EST

Job No. CS4338549

1 BY MR. LACY:

2 Q. Okay. And in the situation involving the
3 Belt Line you think it was in the best interests of the
4 Belt Line to have its switching rate cover its costs?

5 MR. HATCH: Objection to form.

6 THE DEPONENT: It should have, yeah.

7 BY MR. LACY:

8 Q. Okay. All right. If you could, turn to
9 or open up the folder marked 29.

10 (Exhibit 18 was marked and
11 attached to the transcript.)

12 BY MR. LACY:

13 Q. You with me, sir?

14 A. Yes.

15 Q. All right. This is going to be Exhibit 18
16 to your deposition. It looks to be a letter written by
17 you and Mr. Clement to the Belt Line dated October 22nd,
18 2009, right?

19 A. That's what mine says, yes.

20 Q. Okay. And it looks like this letter was a
21 response to the Belt Line management's response to your
22 September 4, 2009 memorandum; is that right?

23 A. That's what it says.

24 Q. All right. The first paragraph of your --
25 your letter, Exhibit 18, says "The response states that